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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,583	07/20/2001	Kevin Mukai	5047	1386
32588	7590	12/03/2004	EXAMINER	
APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 SANTA CLARA, CA 95050				MEEKS, TIMOTHY HOWARD
		ART UNIT		PAPER NUMBER
				1762

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/910,583	MUKAI ET AL.	
	Examiner Timothy H. Meeks	Art Unit 1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) 20-22 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-22 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 September 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1003,102,701</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-19, drawn to a method, classified in class 427, subclass 255.37.
- II. Claims 20-22, drawn to an apparatus, classified in class 118, subclass 715.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the method could be practiced with a different apparatus, such as one not having a computer readable memory.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Heather Molleur on 08 March 2004 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-19. Affirmation of this election must be made by applicant in replying to this Office action. Claims 20-22 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 9-13, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over KR 2001055915 (KR 915) in view of EP 843348 (EP 348).

KR 915 discloses a method comprising providing a substrate having a silicon nitride layer, depositing a BSG film of 10-150 Angstroms thickness thereon by flowing source gases, depositing a film of BPSG on the BSG layer, and then flowing hydrogen and oxygen over the structure at a temperature of 800-900 °C for 10-60 seconds (Derwent abstract). As the BSG layer has thicknesses in the claimed range, it will inherently prevent reaction of phosphorus with the nitride layer.

KR 915 does not explicitly disclose that the substrate is provided in a reaction chamber, or that silicon, oxygen, and boron sources are provided into the chamber to form the BSG layer, or that silicon, oxygen, boron, and phosphorus sources are provided into the chamber to form the BPSG film.

However, because EP 348 discloses that providing a substrate in a reaction chamber, providing silicon, oxygen, and boron sources into the chamber is effective for forming a BSG

layer on the substrate and flowing silicon, oxygen, boron, and phosphorus sources into the chamber is effective for forming a BPSG layer on the substrate (page 29, line 24-page 31, line 20), it would have been obvious to have deposited the BSG and BPSG layers in this manner with a reasonable expectation of these steps being suitable for forming these layers.

As to claims requiring an amount of time for which phosphorus source is not introduced in the chamber, this clearly depends on the desired thickness of the BSG layer, deposition rate etc. (see EP 348 at page 30, lines 17-20), therefore, it would have been obvious to have adjusted the amount of time phosphorus source introduction is delayed to values in the claimed range so as to achieve the desired BSG thickness prior to forming the BPSG film. As to claims requiring particular phosphorus and/or boron concentrations in the layers, these values are disclosed in EP 348.

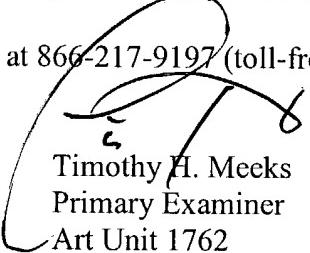
Claims 8 and 14-17 rejected under 35 U.S.C. 103(a) as being unpatentable over KR 915 in view of EP 348 as applied above, and further in view of EP 1139403 (EP 403).

The above applied art does not explicitly disclose delaying introduction of the source gases into the chamber until their flows stabilize. However, because EP 403 discloses that allowing the source gases to bypass the chamber until their flows stabilize when depositing doped silicon oxide films such as BPSG prevents higher dopant concentrations in the first few nanometers of the film and provides a homogenous dopant concentration in the film (0005-0009), it would have been obvious to delay introduction of the source gases to the chamber until their flows stabilize so as to achieve a homogenous dopant concentration in the film.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy H. Meeks whose telephone number is 571-272-1423. The examiner can normally be reached on Mon., Tues., Thurs.(6-6:30), Fri.(6:30-10:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on 571-272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy H. Meeks
Primary Examiner
Art Unit 1762